

## **Bolivia – Statement at the July 2009 GA Debate on RtoP (As Delivered)**

The Permanent Mission of the Plurinational State of Bolivia to the United Nations

Statement By: Mr. Pablo Solón-Romero

Permanent Representative to the United Nations

**Mr. Solón-Romero** (Plurinational State of Bolivia) (*spoke in Spanish*): I should like to begin by congratulating the President of the General Assembly on this initiative. The prevention of and protection against genocide, war crimes, ethnic cleansing and crimes against humanity are intimately linked to the investigation, trial and punishment of such crimes. If crimes against humanity go unpunished and those responsible do not face justice, a precedent is set by which these acts will be repeated. There is no responsibility to protect with impunity.

A crime against humanity was committed in my country in October 2003, under the Government of former President Gonzalo Sánchez de Lozada, in which 67 civilians died and more than 400 were wounded by firearms in the city of El Alto. In the wake of that bloody massacre, in which shots fired at close range killed children, women and elderly people, the Bolivian Congress in 2004 launched a trial of former President Sánchez de Lozada, his ministers and the military authorities involved. The trial, which is now before the Supreme Court of Justice of my country, has encountered an obstacle. The principal defendants have sought asylum, refugee status and protection in the United States of America and Peru. President Evo Morales, in his first visit to the United Nations in 2006, appealed to the United States not to protect Sánchez de Lozada, Sánchez Berzaín, Berindoague and other suspects, and to extradite and hand them over to the Bolivian justice system.

Just three months ago, Peru granted asylum and refuge to three former ministers who are also being prosecuted for the same crime. We therefore ask ourselves what happens to State's responsibility to protect when other States do not allow it to meet its obligation to protect its citizens from crimes against humanity? What measures does the Secretary-General propose when faced with States that protect those suspected of crimes against humanity? When it comes to fighting war crimes, genocide, crimes against humanity and ethnic cleansing, we want action and not just words. We reiterate our official request to the United States and Peru to reconsider the asylum and refugee status they have granted, extradite the former officials implicated in these crimes against humanity, and hand them over to the Bolivian justice system.

Mass crimes and ethnic cleansing do not spring up overnight. They are the product of a combination of factors, including colonialism, deteriorating economic and social conditions, and political sectors that in many cases prepare, organize and establish the conditions in which such crimes take place. That is our recent experience in Bolivia, where certain families displaced from political power by the rise to leadership of the first indigenous President have systematically conducted a campaign of humiliation and harassment, organized fascist groups, provoked confrontations, took over airports, attacked more than 70 Government offices, attempted to occupy police and military headquarters, and finally massacred indigenous people in the Pando district in September last year. All of this is set down in a public report of the United Nations High Commission for Human Rights.

In April, law enforcement forces in Bolivia discovered and dismantled a group of mercenaries of Bolivian and international origin who were organizing an army of militants

with the aim of mounting attacks, manufacturing ethnic conflicts, and promoting conflict between the western and eastern parts of the country, thereby instigating the division of Bolivia. Their plan was to divide Bolivia in two, as Eduardo Rozsa Flores — a major international mercenary of Bolivian and Hungarian nationality who also participated in the Balkan wars — confessed in a video that can be seen on the Internet. New evidence is emerging every day that these mercenaries of various nationalities, unmasked in Bolivia, participated in and helped to trigger numerous wars and conflicts throughout the world. Had they not been discovered in time, it is likely that today we would be discussing a responsibility to protect situation in Bolivia.

However, this suspected network of international and Bolivian mercenaries has not been completely dismantled. Those who financed, transported, armed and organized training camps and lodging are still being pursued and investigated. In this context, it is crucially important for the international community, and especially countries with highly developed intelligence agencies and those where these mercenaries have operated, to share with Bolivia all information regarding their contacts, networks and sources of financing.

Individuals who provoke, direct and orchestrate the kind of mass crimes we are discussing today do not appear overnight. In many cases, they have a history or background that is well known in other countries. It is crucial that these States cooperate with countries that, like Bolivia, are threatened by powerful groups that have no qualms about triggering mass crimes or ethnic cleansing simply to preserve their own economic power.

The Security Council and its authority to intervene by force are topics that, in our opinion, should be at the centre of today's debate. It is our position that the decision to intervene to stop a mass crime should not be in the hands of the Security Council because, as history has shown, there are geopolitical interests at work within the Council that do not necessarily reflect a genuine will to protect. We would add that, if the Security Council retains that authority, it would never be directed against the countries that enjoy veto powers in that organ. As a result, the application of this concept is discretionary and not universal, as it should be. Abolishing the veto power of the five permanent members would be the only way for the Security Council to avoid implementing this measure in a discriminatory fashion. That would be a huge step towards ensuring the responsibility to protect for all States.

Many States have expressed concern that the responsibility to protect will be used as a guise for military interventions that violate sovereignty and territorial integrity and whose intentions are quite other than preventing mass crimes. After centuries of colonialism, interventionism and political manipulation, trust cannot be decreed by fiat but must be built step by step on the basis of facts. It is therefore crucial that the General Assembly pursue its consideration of this topic; that States begin to demonstrate through concrete action that we are prepared to cooperate on such vitally important issues as ending impunity for crimes against humanity; and that States enjoy all the support and information they need to dismantle once and for all the networks of international mercenaries that manufacture wars and provoke crimes against humanity, ethnic cleansing and even genocide.